

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DONNIE RAY McKINLEY,

Petitioner,

v.

LARRY SMALL, Warden,

Respondent.

Case No. EDCV 10-845-VBF (OP)

ORDER ADOPTING FINDINGS,
CONCLUSIONS, AND
RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge, and the objections filed by Petitioner, de novo. The Court concurs with and adopts the findings, conclusions, and recommendations of the Magistrate Judge,


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1 IT IS ORDERED that Judgment be entered: (1) approving and adopting this
2 Report and Recommendation; and (2) directing that Judgment be entered denying the
3 Petition as untimely and for failure to state a claim for federal habeas relief, and
4 dismissing this action with prejudice.

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6 DATED: 1-13-11


7 HONORABLE VALERIE BAKER FAIRBANK
8 United States District Judge
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10 Prepared by:

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12 HONORABLE OSWALD PARADA
13 United States Magistrate Judge
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